

## **TOWN OF WINDSOR AGENDA REPORT**

**Joint Windsor Town Council, Windsor Redevelopment Successor Agency and Windsor Water District Meeting Date:** October 4, 2023

**To:** Mayor and Town Council / President and Windsor Water District Board  
**From:** Katherine Harvey, Acting Senior Civil Engineer  
**Subject:** Acceptance of Public Improvements for the Overlook Subdivision as shown on the Overlook Subdivision Improvement Plans

**Recommendation to Council:**

1. Adopt a Town Council resolution accepting the Public Improvements for the Overlook Subdivision as shown on the Overlook Subdivision improvement plans and designate the intersections of Barbara's Lane and Mitchell Lane and Barbara's Lane and Windsor Road as stop controlled intersections.
2. Adopt a Windsor Water District resolution accepting Windsor Water District facilities improvements as shown on the Overlook Subdivision Improvement plans.

**Strategic Plan Element:**

The recommended action supports the goal of Livability. Goal Statement: Preserve community character by maximizing the use of existing amenities and creating future opportunities that enhance quality of life for all.

**Background:**

The tentative map for the Overlook Subdivision was approved by Resolution No. 571-09, on August 11, 2009, by the Town of Windsor Planning Commission. The project located at 7700 Windsor Road consists of approximately 5.9 acres divided into 12 residential lots, one common area parcel and a private street called Barbara's Lane. The improvement plans titled the Overlook Subdivision were signed on September 21, 2020. All public improvements shown on the plans were completed on or about August 14, 2023.

**Discussion:**

Originally, the Conditions of Approval called for the utilities on Mitchell and Windsor River Road to be undergrounded. Through an appeal to the Town Council on September 16, 2020, Resolution 3622-20, the developer was relieved of the responsibility to underground overhead utilities on Windsor Road, which also relieved the Developer from Condition #24 regarding site line improvements.

The newly built intersections of the private road at Barbara's Lane and Mitchell Lane, and Barbara's Lane and Windsor Road are designated as stop controlled intersections.

The Developer has provided a maintenance bond in the amount of \$218,332 for the one-year warranty period for the completed public improvements. The Town will assume responsibility for the public improvements recommended for acceptance at the end of the one-year warranty period, except the public sidewalk, which will remain the property owner's responsibility to maintain.

The Developer provided a \$200,000 bond to guarantee completion of offsite improvements to the

Windsor Golf Course, as identified in the “Amendment of Subordinated Agreement” between Richardson DeSilva, Inc. and the Windsor Golf Club, Inc. This agreement required that Holes 3 and 4 at the adjacent golf course be moved. The work has been completed to the satisfaction of the Developer, the Golf Course owner and Town Staff. The Town will release the \$200,000 bond.

The Developer is relieved of the requirements of Condition of Approval #58 which required the Developer to be responsible for the maintenance of the slope on the western side of the property facing Windsor Road. The developer has provided a \$50,000 bond as security. Upon further review, the Town Engineer determined that the slope showed no signs of instability therefore the Developer is relieved of further maintenance responsibilities. Additionally, Condition of Approval #15 stating that a commercial driveway approach would be required so Town staff could facilitate the maintenance of the cut slope and Condition of Approval #58 are no longer necessary. The \$50,000 cut slope bond will be released to the Developer.

**Fiscal Impact:**

There is no fiscal impact as a result of this Council action.

**Environmental Review:**

On August 11, 2009, the Windsor Planning Commission adopted Resolution No. 570-09, adopting the Mitigated Negative Declaration for the Overlook project.

**Attachment(s):**

1. [Town Council Resolution](#)
2. [WWD Resolution](#)
3. [Site Plan](#)
4. [Location Map](#)

**Prepared by:**

Katherine Harvey  
Acting Senior Civil Engineer

**Reviewed by:**

John Jaeger  
Deputy Director of Engineering

**Reviewed by:**

Shannon Cotulla  
Public Works Director/Town Engineer

**Recommended by:**

Jon Davis  
Town Manager